



Entered on Docket
May 29, 2007

A handwritten signature in dark ink, appearing to read "Linda B. Riegler".

Hon. Linda B. Riegler
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

USA SECURITIES, LLC,

Debtors.

) Case No. BK-S-06-10725-LBR
) Case No. BK-S-06-10726-LBR
) Case No. BK-S-06-10727-LBR
) Case No. BK-S-06-10728-LBR
) Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under Case No. BK-S-06-10725 LBR

Date: April 26, 2007
Time: 9:30 a.m

Affecting:

☐ All Cases

or Only:

- ☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

**ORDER SUSTAINING FIFTEENTH OMNIBUS OBJECTION OF THE USACM
LIQUIDATING TRUST TO CLAIMS ASSERTING SECURED STATUS**

The USACM Liquidating Trust (the "USACM Trust") filed its Fifteenth Omnibus Objection to Claims Asserting Secured Status [DE 3161] (the "Objection") on March 20, 2007. Appropriate notice of the Objection was given. No responses were filed with this Court. John and Barbara Gay filed a withdrawal of Claim No. 10725-725. The Objection came before the Court for hearing on April 26, 2007 at 9:30 a.m. Good cause appearing, it is

ORDERED:

- Sustaining the USACM Trust's Fifteenth Omnibus Objection to Claims Asserting Secured Status;
- Reclassifying the Proofs of Claim listed on Exhibit A attached as general unsecured claims; and
- Reserving the right of any party in interest, including the USACM Trust, to further object to any and all claims listed on Exhibit A attached as unsecured claims or otherwise, whether or not the subject of this Objection.

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PREPARED AND SUBMITTED:

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
Attorneys for USACM Liquidating Trust

CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing regarding this matter and/or who filed a written objection and each has:
 - ☐ approved the form of this order;
 - ☐ waived the right to review the order;
 - ☐ failed to file and serve papers in accordance with LR 9021(c); and/or
 - ☐ failed to sign and return this proposed order within five (5) business days in accordance with LR 9021(b).
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the form of the order.
- ☒ No opposition was filed and no other party or counsel appeared at the hearing.

LEWIS AND ROCA LLP

By: /s/ RC (#0006593)
Susan M. Freeman
Rob Charles
Attorneys for USACM Liquidating Trust

15th Objection to Claims Asserting Secured Status - Reclassify as General Unsecured Claims

	<u>Claimant</u>	<u>Proof of Claim Number</u>	<u>Date Filed</u>	<u>Proof of Claim Amount</u>	<u>Proof of Claim Classification</u>
1	Janus, Jeffrey C/O Lincoln Trust Company Ttee 8013 Glendale Dr Frederick. MD 21702-2919	10725-02168	1/12/2007	\$36,631.20	S
2	Jason Kefalas Trust C/O Francis Howard Trustee 7 Commerce Center Dr Henderson. NV 89014	10725-01871	1/5/2007	\$50,000.00	S
3	Jay E Henman Retirement Plan C/O Jay E Henman Trustee 1023 Ridgeview Ct Carson City. NV 89705-8054	10725-01212	11/10/2006	\$747,243.00	S
4	Jayem Family Lp Jacques Massa Gp 7 Paradise Valley Ct Henderson. NV 89052-6706	10725-02298	1/12/2007	\$936,807.81	S
5	Jean H Murray Separate Property Tr Dtd 9/12/02 C/O Jean H Murray Trustee 865 Coloma Dr Carson City. NV 89705-7204	10725-02034	1/11/2007	\$100,008.13	S, U
6	Jeannine M Gahring Revocable Trust Dtd 6/27/97 C/O Jeanniene M Gahring Ttee 17282 Candleberry Irvine. CA 92612-2310	10725-00233	9/26/2006	\$75,000.00	S
7	Jelf, James W & Karene K 550 N Mccarran Blvd #303 Sparks. NV 89431-5278	10725-00595	10/16/2006	\$50,000.00	S
8	Jillian Campbell & Patsy Rieer Jt Ten 2024 Douglas Rd Stockton. CA 95207	10725-02212	1/12/2007	\$39,296.06	S, U
9	Joan B Gassiot Trust 1987 Dtd 8/7/87 Joan B Gassiot 4050 Bitter Creek Ct Reno. NV 89509-0609	10725-00154	8/14/2006	\$152,000.00	S
10	Jocelyn Melzer & Eddie Mayo Jt Ten 115 South Deer Run Rd Carson City. NV 89701	10725-02231	1/12/2007	\$16,771.13	S, U
11	John & Janet Mrasz Trust Dtd 12/2/04 C/O John T & Janet F Mrasz Ttees 10015 Barling St Shadow Hills. CA 91040-1512	10725-00344	9/28/2006	\$150,000.00	S
12	John & Janet Mrasz Trust Dtd 12/2/04 C/O John T & Janet F Mrasz Ttees 10015 Barling St Shadow Hills. CA 91040-1512	10725-00345	9/28/2006	\$100,000.00	S

13	John & Janet Mrasz Trust Dtd 12/2/04 C/O John T & Janet F Mrasz Ttees 10015 Barling St Shadow Hills. CA 91040-1512	10725-00346	9/28/2006	\$153,846.15	S
14	John & Janet Mrasz Trust Dtd 12/2/04 C/O John T & Janet F Mrasz Ttees 10015 Barling St Shadow Hills. CA 91040-1512	10725-00355	9/28/2006	\$46,095.47	S
15	John & Priscilla Jaeger Family Trust John B & Priscilla J Jaeger 2256 Hot Oak Ridge St Las Vegas. NV 89134-5520	10725-01305	11/13/2006	\$123,525.00	S, U
16	John L Wade Trust C/O John L Wade Trustee 881 Lake Country Dr Incline Village. Nv 89451-9042	10725-02327	1/13/2007	\$750,000.00	S, U
17	John P & Nancy K Manter Living Trust 1449 Tirol Dr Incline Village. NV 89451	10725-01976	1/10/2007	\$25,000.00	S
18	John P & Nancy K Manter Living Trust John P & Nancy K Manter Ttees 1449 Tirol Dr Incline Village. NV 89451-7902	10725-01977	1/10/2007	\$1,027.00	S
19	John T Mrasz Ent Inc Defined Benefit Plan Dtd 5/86 C/O John T & Janet Mrasz Ttees 10015 Barling St Shadow Hills. CA 91040-1512	10725-00347	9/28/2006	\$200,000.00	S
20	John T Mrasz Ent Inc Defined Benefit Plan Dtd 5/86 C/O John T & Janet Mrasz Ttees 10015 Barling St Shadow Hills. CA 91040-1512	10725-00348	9/28/2006	\$100,000.00	S
21	John T Mrasz Ent Inc Defined Benefit Plan Dtd 5/86 C/O John T & Janet Mrasz Ttees 10015 Barling St Shadow Hills. CA 91040-1512	10725-00349	9/28/2006	\$150,000.00	S
22	John T Mrasz Ent Inc Defined Benefit Plan Dtd 5/86 C/O John T & Janet Mrasz Ttees 10015 Barling St Shadow Hills. CA 91040-1512	10725-00350	9/28/2006	\$100,000.00	S
23	John T Mrasz Ent Inc Defined Benefit Plan Dtd 5/86 C/O John T & Janet Mrasz Ttees 10015 Barling St Shadow Hills. CA 91040-1512	10725-00351	9/28/2006	\$24,483.61	S
24	John T Mrasz Ent Inc Defined Benefit Plan Dtd 5/86 C/O John T & Janet Mrasz Ttees 10015 Barling St Shadow Hills. CA 91040-1512	10725-00352	9/28/2006	\$100,000.00	S

25	John T Mrasz Ent Inc Defined Benefit Plan Dtd 5/86 C/O John T & Janet Mrasz Ttees 10015 Barling St Shadow Hills. CA 91040-1512	10725-00353	9/28/2006	\$200,000.00	S
26	John T Mrasz Ent Inc Defined Benefit Plan Dtd 5/86 C/O John T & Janet Mrasz Ttees 10015 Barling St Shadow Hills. CA 91040-1512	10725-00354	9/28/2006	\$66,136.58	S
27	John W & Barbara S Gay Trust Dated 10/17/89 C/O John W & Barbara S Gay Ttees Po Box 974 54 Hoff Rd Kenwood CA 95452-0974	10725-00725	10/26/2006	\$50,466.00	S, U Claim Withdrawn
28	John W Brouwers Md Sep Ira 2333 Dolphin Ct Henderson, NV 89074-5320	10725-00806	10/30/2006	\$163,611.11	S, P
29	Johnson Jt Ten, Charles E & Janet P 17 Front St Palm Coast, FL 32137	10725-02118	1/11/2007	\$101,552.77	S, U
30	Johnson Jt Ten, Charles E & Janet P 17 Front St Palm Coast, FL 32137-1453	10725-01632	12/8/2006	Unliquidated	S
31	Johnson Ttee Of Cibb Inc Pension Plan, Ronald A 50 Snider Way Sparks, NV 89431	10725-02129	1/11/2007	\$202,800.00	S, U
32	Johnson Ttee Of Cibb Inc Pension Plan, Ronald A C/O Ronald M Johnson 50 Snider Way Sparks, NV 89431	10725-02261	1/12/2007	\$202,800.00	S, U
33	Johnson Ttee Of The Burgarello Inc Profit, Ronald A 50 Snider Way Sparks, NV 89431-6308	10725-02128	1/11/2007	\$202,800.00	S, U
34	Johnson Ttee Of The Burgarello Inc Profit, Ronald A C/O Ronald A Johnson Ttee 50 Snider Way Sparks, NV 89431-6308	10725-02263	1/12/2007	\$202,800.00	S, U
35	Johnson Ttees Of The Janet P Johnson Living Tr, Janet P & Charles E 17 Front St Palm Coast, FL 32137	10725-02117	1/11/2007	\$468,301.91	S, U
36	Johnson, Phillis C/O Ron Johnson PO Box 27 Reno, NV 89504	10725-02127	1/11/2007	\$101,400.00	S, U

37	Johnson, Phyllis C/O Ron Johnson PO Box 27 Reno. NV 89504	10725-02262	1/12/2007	\$101,400.00	S, U
38	Johnson, Ronald A & Marilyn 50 Snider Way Sparks, NV 89431-6308	10725-02126	1/11/2007	\$152,100.00	S, U
39	Jonathan M Eller Inc PO Box 1614 Mammoth Lakes, CA 93546	10725-02081	1/11/2007	\$111,576.00	S, U
40	Jonathan M Eller IRA First Savings Bank C/F Jonathan M Eller IRA PO Box 1614 Mammoth Lakes, CA 93546	10725-02079	1/11/2007	\$50,000.00	S, U
41	Joseph J Machetta Trust Dtd 8/25/04 C/O Joseph J Macetta Trustee Po Box 187 Brush, Co 80723-0187	10725-00376	10/2/2006	Blank	S
42	Joy Investment Inc A Nevada Corporation 8080 Harborview Rd Blaine, WA 98230	10725-02124	1/11/2007	\$909,470.00	S, U
43	Joy Merlene Jackson Living Trust 827 Union Pacific Blvd Pmb 71-175 Laredo, TX 78045	10725-00070	6/1/2006	\$2,913.59	S
44	Joyce Bombard 2000 Trust C/O Joyce Bombard Trustee 8122 Dark Hollow Pl Las Vegas, NV 89117-7618	10725-00787	10/27/2006	\$100,000.00	S